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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

**In re:**

**Case No. 09-43732 WJL**

**ROBERT EARL HADDEN, SR. and  
PATRICIA LIPSCOMB HADDEN,**

**Chapter 13**

**Debtors.**

**REQUEST TO ENTER JUDGMENT  
VOIDING THE SECOND LIEN OF  
BANK OF AMERICA, NA AND ITS  
SUCCESSORS IN INTEREST**

Debtors Robert and Patricia Hadden ("Debtors") hereby request the court enter a judgment voiding the lien of Bank of America, NA and its successors in interest ("Bank of America") secured against Debtors' property located at 7886 Sunkist Drive, Oakland, CA 94605 ("the property").

1. This request is based on the petition, schedules, and documents on file herein, the Motion to Value the Second Lien of Bank of America, N.A. and the Third and Fourth Liens of Chase as Successor to Washington Mutual, Memorandum of Points and Authorities in Support of the Motion and Declaration of Debtor in Support of the Motion filed on September 23, 2011, and subsequent Order Valuing the Lien of Second

1 Lien of Bank of America, N.A. and the Third and Fourth Liens of Chase  
2 as Successor to Washington Mutual entered on December 6, 2011.

3 2. On August 6, 2009, Debtors' chapter 13 plan, which stated  
4 Debtors' intention to strip the liens of Washington Mutual from their  
5 residence, was confirmed. Chase is the successor to Washington  
6 Mutual.

7 3. On June 16, 2011, an Order was entered modifying the Chapter  
8 13 Plan to state Debtors' intention to strip the lien of Bank of  
9 America from their residence which was previously inadvertently  
10 omitted.

11 4. On September 11, 2009, Bank of America, NA filed a proof of  
12 claim as claim #8 as to the Property.

13 5. On May 4, 2012, an Order was entered modifying the Chapter 13  
14 Plan to change Debtors' election to have the property of the estate  
15 pertaining solely to the Property not revert in the Debtors upon  
16 confirmation of the plan.

17 6. On May 23, 2014, a Notice of Plan Completion and Request for  
18 Discharge was filed.

19 7. On May 27, 2014, an Order Discharging 13 Debtor After Plan  
20 Completion was entered.

21 Based on the foregoing, Debtors pray that:

22 1. The court will enter an appropriate form of judgment  
23 determining the lien to be entirely, permanently, and for all purposes  
24 void and unenforceable.

25 Dated: May 29, 2014

26 /s/ Anne Y. Shiau  
ANNE Y. SHIAU  
Attorney for Debtors